

CITY OF MILFORD
REGULAR MEETING
NOVEMBER 2, 1999
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Community Room in said City on the 2ND day of November, 1999 at 7:30 P.M. Present were: Mayor Dean Bruha; Councilmembers Dorothy Bockoven, Gary Cooper, Rick Fortune; Attorney Robert Blevens; City Clerk J. Elaine Plessel; Deputy City Clerk Jeanne Hoggins. Absent: Scott Burroughs. Also present: Arlene Sieck.

Notice of the meeting was given in advance thereof by publishing in the Milford Times; a designated method for giving notice, as shown by the Affidavit of publication attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

CALL TO ORDER: Mayor Bruha called the meeting to order at 7:36 P.M.

MINUTES: A motion was made by Fortune and seconded by Bockoven to approve the minutes of the October 5, 1999 meeting. Roll call vote: Fortune yes, Bockoven yes, Burroughs absent, Cooper yes. Motion carried.

PAYMENT OF BILLS: A motion was made by Cooper and seconded by Bockoven that the following bills, approved by the Auditing Committee be approved for payment. Roll call vote: Cooper yes, Bockoven yes, Burroughs absent, Fortune yes. Motion carried.

SALARIES:

29999	Gary W. Cooper	138.52
30000	Roger L. Kness	261.67
30001	Ricky Gene Fortune	138.52
30002	Dean Alan Bruha	184.70
30003	Dorothy J. Bockoven	138.52
30004	Scott C. Burroughs	138.52
30006	Mark Frey	927.23
30007	Elaine J. Soukup	14.27
30008	Joyce Elaine Plessel	729.54
30009	Mavis Lynn Ferris	38.06
30010	Jeanne M. Hoggins	593.93

30011	Gary Lee TeSelle	628.19
30012	David Lee Smith	862.67
30013	Scott Dean Fosler	790.70
30014	Robert L. Hull	638.01
30015	Beverly J. Wehrs	381.73
30016	Edna A. Riedl	283.72
30017	David R. Dahle	735.23
30018	Ann M. Miller	235.12
30019	Amanda L. Lambe	87.66
30020	Louis J. Bialas	678.94
30021	Pamela J. Slama	266.86
30022	Robert S. DeCoste	813.58
30078	Mark Frey	1,015.65
30079	Joyce Elaine Plessel	875.81
30080	Mavis Lynn Ferris	40.45
30081	Jeanne M. Hoggins	562.50
30082	Gary Lee TeSelle	561.21
30083	David Lee Smith	1,018.66
30084	Scott Dean Fosler	785.80
30085	Robert L. Hull	653.63
30086	Beverly J. Wehrs	370.51
30087	Edna A. Riedl	292.69
30088	David R. Dahle	643.38
30089	Ann M. Miller	233.76
30090	Amanda L. Lambe	126.39
30091	Louis J. Bialas	718.26
30092	Pamela J. Slama	231.47
30093	Robert S. DeCoste	937.23
30095	Gary W. Cooper	138.52
30096	Roger L. Kness	275.52
30097	Ricky Gene Fortune	138.52
30098	Dean Alan Bruha	184.70
30099	Dorothy J. Bockoven	138.52
30100	Scott C. Burroughs	138.52

GENERAL FUND:

30005	U.S. Postmaster – Utility Bill Postage	180.86
30023	Ameritas Life Insurance – Retirement	1,064.94
30024	ACCO – Carboy Deposit, Liquid Chlorine	267.44
30025	ALLTEL – Serv. to 9/30/99	579.69
30026	B & J Small Engine Repair – Screw & Gallon	11.65

30027	Best Buy Co. – 1 Access 2000 Software	319.99
30028	Cather & Sons Const. – 37 Ton Asphalt	1,091.50
30029	Centaur Enterprises – Drill Bits	29.60
30030	Century Labs/Pro Clean – Calcium Chloride/Ice Melt	556.52
30031	Clint’s Service Shop – New Chains & Sharpen	124.50
30032	Credit Bureau of Lincoln – Monthly Charge	10.00
30033	Culligan Water Conditioning – Soft Water	38.00
30034	Dorchester Farmers Cooperative – Supplies	96.91
30035	Dorchester Farmers Coop – Gas & Diesel	633.96
30036	D & D Communications – Repair Low Band Portable	295.50
30037	Eakes Office Products – Copies/Supplies	216.55
30038	Graham Tire Co. – Tires ’98 Crown Vic	171.00
30039	The Garbage Co. – 2 YD & Serv. for Sept.	131.00
30040	Gene’s Electric – Fixtures/Labor	465.10
30041	Gerhold Concrete, Seward – Expansion Jnt.,Fill Sand	69.34
30042	Great Plains-One Call Serv. – Locates	21.46
30043	Hartmann Custom Service – Lagoon Drainage Work	2,095.00
30044	Hershberger Ins. – Addition of Air Compressor	28.00
30045	Hoffmaster – Holiday Place Mats/Napkins	126.45
30046	IHS at Milford – Meals for August	1,443.00
30047	Matt Friend Truck Equip. – Paint, Valve/Dump Truck	362.17
30048	Master Cleaners – Uniform Repair	30.20
30049	Milford A/C & Appliance – Window A/C & Filters	148.90
30050	Milford Economic Development – Prof. Eng. Services	200.00
30051	Municipal Supply – Flare Coupling	68.00
30052	National Casualty Co. – Fire Dept. Ins.	643.44
30053	NE Dept. of Revenue – Sales Tax 9/99	1,422.84
30054	Nebraska Health Laboratory – Coliform Testing	8.75
30055	NE Motor Parts – Bulbs, Supplies	76.73
30056	NE Public Power Dist. – Serv. to 9/21/99	195.16
30057	Peoples Natural Gas – Serv. to 9/29/99	70.55
30058	Pizza Kitchen – B-Day Cert. For Sept.	10.40
30059	Elaine Plessel – Insurance	124.10
30060	Precision Piano Tuning & Repair – Tune Piano/Sr.Cntr	85.00
30061	Regency Inn of Kearney – Room Charge/Mosq. Mtg.	49.00
30062	Roxanne Roth – Cleaning	160.00
30063	Mrs. Wayne Roth – 2 Sheet Cakes	25.00
30064	Schlegel’s Groceries – Groceries/Cat Food/Photo Proc	74.09
30065	Sam’s Club – Serv. Charge	25.24
30066	Seward County Ford L/M – Oil change & Repairs	247.07

30067	Share Corp. – Windshield Washer Fluid/Degreaser	438.50
30068	Pam Slama – Cleaning City Hall	75.00
30069	U.S. Specialties – “Just Say No” Candy	57.79
30070	Uniservice – Pants & Rags	79.20
30071	Wal-Mart Store – Supplies	31.16
30072	Dave Whitney – Refund overpayment water bill	20.74
30073	Zep Manufacturing – Sewer Aid, Gloves	312.62
30074	Donna Alt – Deposit Refund	36.98
30075	Cully Nichols – Deposit Refund	35.70
30076	Seth Thompson – Deposit Refund	22.32
30077	Chad Weiland – Deposit Refund	30.38
30094	Ameritas Life Insurance Corp. – Retirement	950.00
30101	ACCO – Carboy Deposit	356.80
30102	AT&T – Long Distance Service	15.36
30103	ALLTEL – Mobile Phone	18.58
30104	Thomas T. Beeler – 4 Books	96.39
30105	Blevens Law Office – Legal Service	350.00
30106	Blue Valley Pest Control – Pest Control Serv.	50.00
30107	City of Milford – Petty Cash	75.70
30108	Christian Book Distributors – 40 Books	509.71
30109	Country Store – Guide Country Cooking	35.94
30110	D & D Communications – 2 Radio’s & Mic’s	1,301.00
30111	Data Technologies – Y2K Update	13.00
30112	Dummer Publishing – 1 Book	11.75
30113	Gaylord Bros. – Video Holders	45.77
30114	Gerhold Concrete –Seward – Concrete	295.38
30115	1 st Choice Credit Union – TeSelle Acct. #48052	250.00
30116	Heartsong Presents – 4 Books	9.97
30117	Homestead Abstract & Title – Title Insurance	152.50
30118	Ingram Library Services – Books	1,104.60
30119	Island Trophy & Engraving – Walnut Plaque (Smith)	24.95
30120	Lincoln Journal Star – Police Chief Ad	138.01
30121	Mayo Clinic Health Letter – 2 yr. Subscription	49.00
30122	Milford Econ. Dev. – Kirkham, Michael Eng. Serv.	720.00
30123	Ann Miller – Parking & Mtg.	27.90
30124	Milford School Dist. #5 – Fines Collected	25.00
30125	Milford Times – Notices, Proceedings	267.87
30126	Mutual of Omaha Co. – Disability Ins.	189.23
30127	NE Dept. of Env. Quality – Renewal of Cert.	50.00
30128	NE Dept. of Revenue – State W/H for October	755.31

30129	Nebraska Health Laboratory – Nitrate & Coliform Test	56.10
30130	Nebraska Records Management – Book	4.00
30131	State of Nebraska – Water Cert. Renewal	10.00
30132	Police Officers’ Assoc. of NE – Membership Dues	30.00
30133	Quality Equipment Co. – Rental on Roller (1Week)	404.00
30134	Edna Riedl – Volunteer Dinner	113.85
30135	Reiman Publications – 2 yr. Sub/Crafting Trad.	22.98
30136	Roxanne Roth – Cleaning	160.00
30137	Saturday Evening Post – 2 yr. Sub.	25.97
30138	Seventeen – 2 yr. Sub.	39.95
30139	Seward County Independent – 1 yr. Sub.	27.00
30140	Seward County Treasurer – 911 Comm. Dispatch	300.00
30141	Seward County Ford L/M – Oil Change	41.90
30142	Simon & Schuster – Past Due Acct’s Books	106.90
30143	University Book Service – 28 Books	146.66
30144	Upstart – Book marks	64.58
30145	Utility Equipment Co. – Screw Type Valve	207.23
30146	H W Wilson – Readers Guide 1 yr.	265.00
30147	York News – Times – Police Chief Ad	57.82

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Housing Authority minutes for October 11, 1999 meeting and notice of November 8, 1999; Milford Aging Services Commission minutes for September 22, 1999 and October 27, 1999; Library Board Minutes September 23, 1999 and October 14, 1999. Fortune noted that bid letting would be on the December agenda to repaint the water tower. The roadwork at the Lagoon is complete. The fence still needs to be erected. Bockoven informed Council that Shane Whitford has approached her regarding an Eagle Scout project at the cemetery. He would like to mark the unmarked graves. The Library is complete excluding some concrete work and the windowsills. Cooper informed Council that the new Dump Truck was here and in use. Regarding the Cloy Stutzman sidewalk project, S.C.C. was unable to get plans together. Cooper talked with Mark Frey and the State of NE Road Inspector about extending the drainage tube and filling in with dirt. Burdette Boshart approached Cooper with problems in the Fire Dept. kitchen. The linoleum is cracked and turning up. They are concerned for the safety of patrons. The Dept. is checking into the cost of tiling and will have bids submitted. Preliminary plans with a proposed boulevard have been presented on the State Street Project through S.C.C. S.C.C. is working on issues like cross walk areas, loading & unloading zones. Advertising will

be done through the month of November and bid opening will be in December.

COMMUNICATIONS: Sales tax received for the month of August 1999 was \$12,180.76. Mayor Bruha presented rate increase information of \$2.00 per month, plus additional channels from Galaxy Cable. A letter was received from Prairie View Clinic regarding concern with the water system for patient Willis Roth. Council felt it best to send current results to Clinic as the problem has been stabilized. The November SENDD meeting is to be held in Table Rock at 6:30 P.M. Bruha reported on information shared at the SEWCOG meeting and Louis Lamberty. Communities with Interlocal Agreements are purchasing office products in bulk to receive a better rate. The Economic Development Committee along with the Tech. Infrastructure Team created a Website, which is almost complete.

NEW BUSINESS: Re-appointment –Linden Village Board Member – A motion was made by Fortune and seconded by Bockoven to re-appoint Larry Lindquist for a 5 yr. term to the Linden Village Board. Roll call vote: Fortune yes, Bockoven yes, Burroughs absent, Cooper yes. Motion carried.

Introduction and Adoption of Resolution – Interlocal Agreement R.A.P. The following resolution was introduced by Cooper, who moved its adoption, seconded by Fortune.

RESOLUTION NO. 357

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, NEBRASKA:

WHEREAS, law enforcement agencies within the following counties: Butler, Clay, Fillmore, Hamilton, Jefferson, Merrick, Nuckolls, Saline, Saunders, Seward, Webster, and York desire to enter into a cooperative law enforcement effort; and

WHEREAS, the above agencies have submitted a grant application as the RURAL APPREHENSION PROGRAM (hereafter R.A.P.); and

WHEREAS, the R.A.P. project has been funded by the Nebraska Crime Commission; and

WHEREAS, the various counties, agencies and communities within those counties desire to make the most efficient use of the power by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors; and

WHEREAS, an interlocal agreement, consistent with Nebraska Revised Statutes 13-801 et.seq., would be in the best interest of all participating agencies; and

WHEREAS, the agencies desire to enter into a written interlocal agreement for the purpose of carrying out the R.A.P. objectives and grant requirement of the Nebraska Crime Commission.

BE IT RESOLVED THAT:

The City of Milford authorizes R.A.P. to enter City of Milford into an interlocal agreement for joint and cooperative action pursuant to the provisions of Section 13-801 through 13-807. The interlocal agreement shall be for the strict administration of the R.A.P. project and all funds allocated by the Nebraska Crime Commission, and Match dollars allocated by the R.A.P. members. Further, this interlocal agreement shall not establish a separate legal entity, rather as a joint and cooperative undertaking between public agencies i.e. state, county, city or village. (Nebraska Revised Statute 13-801)

Amount of match dollars allocated by the City of Milford for the 1999-2000 (R.A.P. 10) grant period will be \$943.00.

Upon roll call vote as follows: Cooper, yes, Fortune yes, Bockoven yes, Burroughs absent. Motion carried.

Dated this 2nd day of November, 1999.

Deputy City Clerk

Mayor

Approval – Release of Detention Pond Easement: Cooper noted that the detention pond needs to be changed before releasing the easement. Lot 1 is unbuildable as of current design. The detention pond was never completed. Council felt the reconstruction of the pond needs to be done before the easement could be released. A guarantee by an engineer was requested to make sure the pond would do the job. A motion was made by Cooper and seconded by Bockoven to deny the request. Roll call vote: Cooper yes, Bockoven yes, Burroughs absent, Fortune yes. Motion carried.

Use of Fire Station Comm. Room by Retired Firemen: At the April 1998 Fire Dept. meeting a motion was passed to open the fire station and facilities to retired fire members. Bruha noted that the City should have a list of retired fire members. A question as to what requirements need to be met to be qualified as a retired member was asked. Fortune noted that in Dorchester if you were on the dept. 10 years retirement was accepted. It was decided to table issue until qualifications of a retired member were presented to the Council.

Approval – Let Bids for Road Grader: Cooper and Frey met and put specs together for a 1987 or newer Motor Grader. The City's current motor grader

is a 1947 gear driven grader. The parts to repair this piece of equipment are very hard to come by. A motion was made by Cooper and seconded by Fortune to advertise for bids for a 1987 or newer Motor Grader. Roll call vote: Cooper yes, Fortune yes, Bockoven yes, Burroughs absent. Motion carried.

Approval – Job Description, Chief of Police: A motion was made by Fortune and seconded by Bockoven to approve presented job description for the Chief of Police. (See attached copy) Roll call vote: Fortune yes, Bockoven yes, Burroughs absent, Cooper yes. Motion carried.

Approve purchase of Sr. Center Vehicle: Two bids were submitted to the Milford Aging Services Commission to replace the 1978 Buick. A '88 Buick Century for \$3,000 and a '92 Chrysler Fifth Ave. for \$5,500 with a trade in of \$250.00 for the '78 Buick. Request from the Milford Aging Services Commission was to purchase the 1992 Chrysler Fifth Ave. at a cost of \$5,250.00. Money is available in the Special Gifts Account. A motion was made by Fortune and seconded by Cooper to accept the bid for the '92 Chrysler Fifth Ave. at \$5,250.00 with trade in. Roll call vote: Fortune yes, Cooper yes, Bockoven yes, Burroughs absent. Motion carried.

Nuisance Abatement Procedure: The Health Board viewed 6 different properties that did not pass inspection. The Council had much discussion on what to do with items and setting a value on these items. Fortune was concerned with City being responsible for a large amount of storage fees. The investment to clean up several of these properties would be large. Does the City have the authority to haul items to the landfill? This issue was not as clear as they would like it to be. It was mentioned to increase fines if property owners did not follow the guidelines. Complaints from neighbors and citizens have been coming to the Council regarding these properties. 3 of the properties are within the City limits. Notices are to be sent, property owners have 5 days to challenge. Work with property owner on time frame for clean up.

Introduction and Adoption of Ordinance – Amend Ord. #661, Section 1 (4-302), 3C: Fortune introduced the following ordinance:

ORDINANCE NO. 697

AN ORDINANCE TO AMEND CHAPTER 4, ARTICLE 3, SECTION 4-302 AND 4-401 OF THE MUNICIPAL CODE; TO REGULATE AND ABATE NUISANCES; TO PROVIDE PENALTIES FOR VIOLATION THEREOF; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

Move, replace Street light on 4th between B & C: A motion was made by Cooper and seconded by Fortune to approve moving of the street light. (See attached copy) Roll call vote: Cooper yes, Fortune yes, Bockoven yes, Burroughs absent. Motion carried.

Executive Session - Personnel: A motion was made by Bockoven and seconded by Fortune to adjourn from regular session to executive session for the purpose of personnel matters. Roll call vote: Bockoven yes, Fortune yes, Burroughs absent, Cooper yes. Motion carried and Council went into Executive Session at 8:50 P.M.

A motion was made by Bockoven and seconded by Cooper to adjourn from Executive Session to Regular session. Roll call vote: Bockoven yes, Cooper yes, Burroughs absent, Fortune yes. Motion carried and Council now in Regular Session at 9:33 P.M.

ADJOURNMENT: A motion was made by Bockoven and seconded by Cooper to adjourn the meeting. Roll call vote: Bockoven yes, Cooper yes, Burroughs absent, Fortune yes. Motion carried and meeting adjourned at 9:34 P.M.

Deputy City Clerk

Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on November 2, 1999 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(SEAL)

Jeanne Hoggins, Deputy City Clerk